

REMARKS

I. Summary of Office Action

Claims 1-28 were pending in this application.

Claims 1-28 were rejected under 35 U.S.C. § 102(e) as being anticipated by Alexander et al. U.S. Patent No. 6,177,931 (hereinafter "Alexander").

II. Summary of Applicants' Reply

Applicants have amended claims 1, 3-5, 7, and 8. Applicants have cancelled claims 9-28 without prejudice. Applicants have added claims 29-52. Applicants respectfully submit that the amended and new claims do not add new matter and are fully supported by the originally-filed specification. For example, support for independent claims 31, 38, 45, and 49 may be found on page 13, lines 1-5, page 9, lines 7-16, Figure 5, and Figure 9.

III. Applicants' Reply to the 35 U.S.C. § 102(e) Rejections

Independent claims 1 and 5 were rejected under 35 U.S.C. § 102(e) as being anticipated by Alexander. This rejection is respectfully traversed.

Applicants' amended independent claims 1 and 5 are, generally speaking, directed towards a system and a method for substituting alternative advertising information to be displayed on a viewer's television system in place of the information that would otherwise be displayed. At the head end an instruction is inserted in the outgoing television signal for a first particular channel that instructs any television system that receives that television signal to

change channels to a second particular channel. This channel change instruction includes a duration of time which is used to indicate how long the viewer's television system should be tuned to the second particular channel before tuning back to the first particular channel.

Alexander discloses automatically tuning a television to a particular channel during the telecast of an advertisement, and then tuning the television back to the viewer's chosen television program at the conclusion of the advertisement. (See, e.g., Alexander, column 32, line 63, through column 33, line 1).

However, Applicants respectfully submit that disclosure cannot be found in Alexander for "inserting at the head end in said outgoing television signal on said first particular channel an instruction to any television system that receives said television signal to change channels to a second particular channel, wherein said instruction indicates a duration of time." In fact, claims 1 and 5 patentably improve upon Alexander by including this duration of time within the channel change instruction thereby ensuring that the viewer's television system will tune back to the first particular channel at the appropriate time. (See specification, page 8, lines 23 through 26, and page 10, line 12 through page 11, line 6).

Accordingly, applicants respectfully submit that amended independent claims 1 and 5 are allowable over Alexander, at least because Alexander does not show all of the elements of applicants' claims. For at least this reason, applicants respectfully request that the rejection of claims 1 and 5 be withdrawn. In addition, applicants respectfully request that the rejection of dependent claims

3-4 and 7-8 be withdrawn at least because claims 3-4 and 7-8 depend on independent claims 1 and 5, respectively.

III. New Claims

Newly added independent claims 31 and 38 are directed toward, generally speaking, a system and a method for substituting alternative advertising information to be displayed on a viewer's television system in place of information that would otherwise be displayed by determining whether an incoming television signal should be intercepted from a database of channel and advertising intercept information maintained at the viewer's television system.

Newly added claims 45 and 49 are directed toward, generally speaking, a system and a method for substituting alternative advertising information to be displayed on a viewer's television in place of information that would otherwise be displayed by determining whether an outgoing television signal should be intercepted from a database of channel and advertising intercept information maintained at a head end.

Applicants respectfully submit that independent claims 31, 38, 45, and 49 are in condition for allowance at least because the cited references do not show or suggest all of the elements of these claims. Dependent claims 32-37, 39-44, 46-48, and 50-52 are also in condition for allowance, at least because these claims depend from allowable claims 31, 38, 45, and 49. Dependent claims 29 and 30 are also in condition for allowance, at least because these claims depend from allowable claims 1 and 5, respectively.



IV. Conclusion

The foregoing demonstrates that claims 1, 3-5, 7-8, and 29-52 are patentable. This application is therefore in condition for allowance. Reconsideration and allowance are accordingly respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Michael J. Chasan", written over a horizontal line.

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